

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**DIANE JOHNSON and WANDA HOPKINS,**

**PLAINTIFFS,**

**VS.**

**CIVIL ACTION NO. 4:05CV172-P-A**

**COLDWELL REAL ESTATE CORPORATION,  
ET AL.,**

**DEFENDANTS.**

**ORDER COMPELLING ARBITRATION**

This matter comes before the court upon the Fifth Circuit Court of Appeals' decision in *Johnson v. The Provident Bank/PCFS*, No. 07-60324 in which the Court ruled that this court must reinstate its August 18, 2006 Order compelling arbitration.

**IT IS THEREFORE ORDERED AND ADJUDGED** that:

(1) Defendant National City Bank, N.A.'s Motion to Compel Arbitration and for Stay, or in the Alternative, for Partial Summary Judgment [78] is **GRANTED** insofar as

(2) All of the plaintiffs' claims against National City Bank, N.A. are **COMPELLED TO ARBITRATION**; and

(2) The plaintiffs' claims against National City Bank, N.A. are **DISMISSED WITHOUT PREJUDICE**.

**SO ORDERED** this the 14<sup>th</sup> day of May, A.D., 2008.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE